

Message

From: Capacasa, Jon [Capacasa.jon@epa.gov]
Sent: 1/30/2015 1:51:11 PM
To: Ryan, Daniel [Ryan.Daniel@epa.gov]
Subject: Fwd: Request for R3 Concurrence -- Letter from attorney regarding PFOA health effects data and re-evaluating EPA's SDWA 1431 2009 Consent Order with DuPont
Attachments: Draft Response to 1-20-15 Bilott Letter to R3 R5 RAs 1-28-15 OST R3 anddocx; ATT00001.htm

Dan

Are we clear to send this response on DuPont inquiry. Region 5 RA is willing to send out on behalf of both regions and RAs.

Sent from my iPhone

Begin forwarded message:

From: "Shoven, Heather" <shoven.heather@epa.gov>
Date: January 30, 2015 at 8:23:48 AM EST
To: "Capacasa, Jon" <Capacasa.jon@epa.gov>, "Johnson, KarenD" <Johnson.KarenD@epa.gov>
Subject: RE: Request for R3 Concurrence -- Letter from attorney regarding PFOA health effects data and re-evaluating EPA's SDWA 1431 2009 Consent Order with DuPont

Good Morning Jon and Karen,

I hope that you're doing well. Do you anticipate any comments from the RA's office on the attached draft letter?

I truly appreciate your help in getting this response out. Please let me know if you need any further information.

Best wishes,
Heather

Heather A. Shoven
Compliance and Enforcement Team Leader
Ground Water and Drinking Water Branch
U.S. Environmental Protection Agency, Region 5
77 W. Jackson Blvd (WG-15J), Chicago, IL 60604
Phone: (312) 886-0153 / Email: shoven.heather@epa.gov

From: Capacasa, Jon
Sent: Wednesday, January 28, 2015 3:53 PM
To: Shoven, Heather; Johnson, KarenD
Cc: Klassman, Debra; Kier, Lori; Damato, Nicholas; Poy, Thomas
Subject: RE: Request for R3 Concurrence -- Letter from attorney regarding PFOA health effects data and re-evaluating EPA's SDWA 1431 2009 Consent Order with DuPont

Thanks Heather. We are OK with the letter at the WPD and ORC level. I have shared it with the RA's Office just now to see if they have any remaining questions.

Jon

From: Shoven, Heather
Sent: Wednesday, January 28, 2015 4:44 PM
To: Johnson, KarenD; Capacasa, Jon
Cc: Klassman, Debra; Kier, Lori; Damato, Nicholas; Poy, Thomas
Subject: Request for R3 Concurrence -- Letter from attorney regarding PFOA health effects data and re-evaluating EPA's SDWA 1431 2009 Consent Order with DuPont

Hi Jon and Karen,

Lori and Deb had an exchange and were fine with the language in the attached version of the letter. I would like to send a version to Tinka Hyde that can go onto the R5 RA for sign-off. Is R3 okay with this language? I appreciate your time.

Best wishes,
Heather

Heather A. Shoven
Compliance and Enforcement Team Leader
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Phone: (312) 886-0153 / Email: shoven.heather@epa.gov

From: Kier, Lori
Sent: Wednesday, January 28, 2015 11:01 AM
To: Shoven, Heather; Johnson, KarenD; Capacasa, Jon
Cc: Klassman, Debra
Subject: Re: Final Draft with R3 Edits -- Letter from attorney regarding PFOA health effects data and re-evaluating EPA's SDWA 1431 2009 Consent Order with DuPont

Thanks!

Lori Kier
Senior Assistant Regional Counsel
US EPA Region III
1650 Arch Street
Philadelphia, PA 19103
(215) 814-2656
kier.lori@epa.gov

From: Shoven, Heather
Sent: Wednesday, January 28, 2015 11:57 AM
To: Kier, Lori; Johnson, KarenD; Capacasa, Jon
Cc: Klassman, Debra
Subject: RE: Final Draft with R3 Edits -- Letter from attorney regarding PFOA health effects data and re-evaluating EPA's SDWA 1431 2009 Consent Order with DuPont

Thanks Lori. Edits are made in the attached version.

Best wishes,
Heather

Heather A. Shoven
Compliance and Enforcement Team Leader
Ground Water and Drinking Water Branch
U.S. Environmental Protection Agency, Region 5
77 W. Jackson Blvd (WG-15J), Chicago, IL 60604
Phone: (312) 886-0153 / Email: shoven.heather@epa.gov

From: Kier, Lori
Sent: Wednesday, January 28, 2015 10:51 AM
To: Shoven, Heather; Johnson, KarenD; Capacasa, Jon
Cc: Klassman, Debra
Subject: Re: Final Draft with R3 Edits -- Letter from attorney regarding PFOA health effects data and re-evaluating EPA's SDWA 1431 2009 Consent Order with DuPont

Ex. 5 Deliberative Process (DP)

Lori Kier
Senior Assistant Regional Counsel
US EPA Region III
1650 Arch Street
Philadelphia, PA 19103
(215) 814-2656
kier.lori@epa.gov

From: Shoven, Heather
Sent: Wednesday, January 28, 2015 11:47 AM
To: Kier, Lori; Johnson, KarenD; Capacasa, Jon
Subject: Final Draft with R3 Edits -- Letter from attorney regarding PFOA health effects data and re-evaluating EPA's SDWA 1431 2009 Consent Order with DuPont

Thanks Lori. I made your suggested revision and am attaching the latest version for R3 senior management.

Best wishes,
Heather

Heather A. Shoven
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Phone: (312) 886-0153 / Email: shoven.heather@epa.gov

From: Kier, Lori
Sent: Wednesday, January 28, 2015 10:34 AM
To: Johnson, KarenD; Capacasa, Jon; Shoven, Heather
Subject: Re: Request for OST Input -- Letter from attorney regarding PFOA health effects data and re-evaluating EPA's SDWA 1431 2009 Consent Order with DuPont

Ex. 5 Deliberative Process (DP)

Lori Kier
Senior Assistant Regional Counsel
US EPA Region III
1650 Arch Street
Philadelphia, PA 19103
(215) 814-2656
kier.lori@epa.gov

From: Johnson, KarenD
Sent: Wednesday, January 28, 2015 11:29 AM
To: Capacasa, Jon; Shoven, Heather
Cc: Kier, Lori
Subject: FW: Request for OST Input -- Letter from attorney regarding PFOA health effects data and re-evaluating EPA's SDWA 1431 2009 Consent Order with DuPont

Jon-Do you think you can just let R5 know we're OK now.. ORC has added Lori as the legal point of contact...

Thanks Heather! That is the correction we needed.

From: Shoven, Heather
Sent: Wednesday, January 28, 2015 11:21 AM
To: Johnson, KarenD
Subject: RE: Request for OST Input -- Letter from attorney regarding PFOA health effects data and re-evaluating EPA's SDWA 1431 2009 Consent Order with DuPont

Hi Karen!

Ex. 5 Deliberative Process (DP)

Heather

Heather A. Shoven
Compliance and Enforcement Team Leader
Ground Water and Drinking Water Branch
U.S. Environmental Protection Agency, Region 5
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Phone: (312) 886-0153 / Email: shoven.heather@epa.gov

From: Johnson, KarenD
Sent: Wednesday, January 28, 2015 10:05 AM
To: Shoven, Heather
Subject: RE: Request for OST Input -- Letter from attorney regarding PFOA health effects data and re-evaluating EPA's SDWA 1431 2009 Consent Order with DuPont

Ex. 5 Deliberative Process (DP)

From: Shoven, Heather
Sent: Wednesday, January 28, 2015 10:42 AM
To: Johnson, KarenD
Subject: RE: Request for OST Input -- Letter from attorney regarding PFOA health effects data and re-evaluating EPA's SDWA 1431 2009 Consent Order with DuPont

Thanks Karen! How's this version?

Best wishes,
Heather

Heather A. Shoven
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U.S. Environmental Protection Agency, Region 5
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Phone: (312) 886-0153 / Email: shoven.heather@epa.gov

From: Johnson, KarenD
Sent: Wednesday, January 28, 2015 9:35 AM
To: Shoven, Heather
Subject: RE: Request for OST Input -- Letter from attorney regarding PFOA health effects data and re-evaluating EPA's SDWA 1431 2009 Consent Order with DuPont

Heather – Our contact for counsel is Lori Kier number is (215) 814 2656. I'm still checking on a middle initial for her, but nothing worth holding up the letter any longer. Thanks!!

From: Shoven, Heather
Sent: Wednesday, January 28, 2015 10:33 AM
To: Donohue, Joyce
Cc: Klassman, Debra; Poy, Thomas; Harris, Kimberly; Johnson, KarenD
Subject: RE: Request for OST Input -- Letter from attorney regarding PFOA health effects data and re-evaluating EPA's SDWA 1431 2009 Consent Order with DuPont

Thanks Joyce. I appreciate your quick and helpful review. I'll go forward with the language as is and am cc'ing management to let them know that OST has reviewed our draft response.

Thank you for all of your hard work on these issues!

Best wishes,
Heather

Heather A. Shoven
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From: Donohue, Joyce
Sent: Wednesday, January 28, 2015 9:24 AM
To: Shoven, Heather
Subject: RE: Request for OST Input -- Letter from attorney regarding PFOA health effects data and re-evaluating EPA's SDWA 1431 2009 Consent Order with DuPont

Dear Heather:

Ex. 5 Deliberative Process (DP)

Joyce

From: Shoven, Heather
Sent: Tuesday, January 27, 2015 10:38 AM
To: Doyle, Elizabeth; Donohue, Joyce
Cc: Johnson, KarenD; Harris, Kimberly; Klassman, Debra; Damato, Nicholas; Poy, Thomas; Bair, Rita
Subject: Request for OST Input -- Letter from attorney regarding PFOA health effects data and re-evaluating EPA's SDWA 1431 2009 Consent Order with DuPont

EPA INTERNAL DELIBERATIVE

Hi Beth and Joyce,

I am forwarding you an inquiry sent to the R3 and R5 RAs from Robert A. Bilott, an attorney in Ohio, requesting that EPA consider new health effects data to evaluate the 0.40 parts per billion (ppb) site-specific action level for perfluorooctanoic acid (PFOA) in EPA's 2009 consent order with DuPont's Washington Works Facility in West Virginia.

Attached is a draft response for the Agency. Could you review and provide any edits?

Thank you for your time. Please contact me with any questions or concerns.

Best wishes,
Heather

Heather A. Shoven
Compliance and Enforcement Team Leader
Ground Water and Drinking Water Branch
U.S. Environmental Protection Agency, Region 5

77 W. Jackson Blvd (WG-15J), Chicago, IL 60604
Phone: (312) 886-0153 / Email: shoven.heather@epa.gov

From: Bilott, Robert A. [<mailto:bilott@taftlaw.com>]
Sent: Tuesday, January 20, 2015 3:32 PM
To: Hedman, Susan; Garvin, Shawn; Randy.C.Huffman@Wv.Gov
Cc: Doyle, Elizabeth
Subject: In the Matter of: E.I. du Pont de Nemours and Company (Docket Nos: SDWA-03-2009-0127 DS/SDWA-05-2009-0001)

Document attached.

Taft /

Robert A. Bilott / Partner
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Cincinnati, Ohio 45202-3957
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